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**IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE**

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Application Number: 10/599,107  
Filed: September 19, 2006  
Applicants: George H. Tagawa, Kenneth K. Tagawa, Randall E. Tagawa, and  
Fred Naylor Blackmore, Jr.  
Title: Plant Punch Methods and Apparatus  
Art Unit: 3643  
Examiner: Son T. Nguyen  
Assignee: Tagawa Greenhouse Enterprises, LLC  
Attorney Docket: TGI-Shifter-USNP  
Customer No.: 33549  
Confirmation No.: 4215

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**PETITION UNDER 37 C.F.R. §1.78(a)(3)**

This petition is appropriate and should be granted because we provide herewith:

- the reference required by 35 USC §120 and 37 CFR §1.78(a)(2) to the prior filed application;
- the surcharge set forth in 37 CFR §1.17(t); and
- statement required under 37 CFR §1.78(a)(3)(iii).

Dated this 9<sup>th</sup> day of September, 2010.

Respectfully Submitted,  
SANTANGELO LAW OFFICES, P.C.

By: /Alfred K. Wiedmann Jr./  
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**REFERENCE REQUIRED BY 35 USC §120 AND 37 CFR §1.78(a)(2)  
TO THE PRIOR FILED APPLICATIONS**

The reference to the prior filed applications as required by 35 USC §120 and 37 CFR §1.78(1)(2) is provided below in the form of an amendment to the specification of the above captioned application.

*Please amend the paragraph starting at page 1, line 2 of US Patent App. No. 10/599,107 as follows:*

This application is a United States National Phase of, and claims priority to, International Application No. PCT/US2004/009308, filed 26 March 2004, and published on 2 November 2005, under International Publication Number WO 2005/102028 A1, said PCT application incorporated herein by reference. This application is also a continuation-in-part of, and claims priority to, App. No. 10/470,282, filed July 24, 2003, now issued as US Patent No. 6,779,300, which is the US National Phase of PCT/US02/02257, filed January 24, 2002, which itself claims priority to US Provisional App. No. 60/296,915, filed June 8, 2001, US Provisional App. No. 60/276,874, filed March 14, 2001, US Provisional App. No. 60/273,420, filed March 5, 2001, and US Provisional App. No. 60/263,802, filed January 24, 2001. This application also is a continuation-in-part of, and claims priority to, US Application No. 10/167,693, filed June 10,

2002, now issued as US Patent No. 6,915,607, which itself claims priority to US Provisional App. No. 60/296,915, filed June 8, 2001.

Dated this 9<sup>th</sup> day of September, 2010.

Respectfully Submitted,  
SANTANGELO LAW OFFICES, P.C.

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**STATEMENT UNDER 37 CFR §1.78(a)(3)(iii)**

The entire delay between the date the claim for priority was due under paragraph 37 CFR §(a)(2)(ii) (said date being January 19, 2007, which is 4 months after the §371 filing date of the above-captioned application) and the date the claim is filed was unintentional.

Dated this 9<sup>th</sup> day of September, 2010.

Respectfully Submitted,  
SANTANGELO LAW OFFICES, P.C.

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